

**FRANKLIN GRAY PATENTS, LLC****ROBERT H. FRANTZ**  
REGISTERED US PATENT AGENT  
LLC MANAGER

September 8, 2004

Examiner Cam Y T Truong  
United States Patent and Trademark Office  
GAU 2172**Re.: Request for Telephone Interview in Patent Application 10/005,136 and Proposed  
Amendment With Respect to Your Official Action of June 16, 2004**

Dear Examiner Truong,

We would like to request a telephone interview of 30 minutes or less on Friday, September 10, 2004, at 11:00 a.m. (Eastern) according to your availability and convenience. If this time or day is not convenient for you, please propose an alternate time and date. During our discussion, we would like to discuss the following items as a reply and proposed amendment to your Office Action on 06/16/2004.

Best Regards,

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**Differences between Cited Art and Our Invention**

In the rejection of our independent claims (1, 9, and 17), Underwood's "hierarchy of the site map" was considered to be the same as our "ephemeral list". We believe this is not a correct comparison of the two disclosures for the following reasons:

- (1) Underwood's hierarchy of their site map is not "ephemeral" (e.g. temporary in its content) at all, but is static until modified explicitly by the user. It would be counter to the objectives of a web site designing tool, such as Underwood's tool, to only temporarily "add a calendar page" to the web site, and especially to organize it as a push-down, limited-depth list as we have described our preferred embodiment.
- (2) If Underwood's hierarchical site map were actually a push-down, limited-depth stack such as our ephemeral list, adding a page to a web site which already had the maximum number of elements allowed would automatically "push" the oldest page out of their web site hierarchy, essentially automatically deleting the oldest page, which would render the Underwood system undesirable for its intended purpose. Thus, there would be no motivation for one of ordinary skill in the art to modify Underwood to meet our claim scope.
- (3) Underwood's system requires the user to explicitly command the system to take an action to modify their hierarchy of their site map, whereas our system automatically adds the most recently acted-upon object to our ephemeral list without requiring explicit user command to do so. It would be counter to the objectives of Underwood's system to automatically make changes to their hierarchical site map without the user's explicit commands as this would create branches and pages within a site structure out of the control of the user.

App. No. 10/005,136

John Falk Kelley

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Request for Interview and Proposed Amendment

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**Proposed amendment to Claim 1**

We propose the following amendment to claim 1 (and similar amendments to claims 9 and 17), which we believe address the differences between our invention and the Underwood invention. With respect to the Mitchell, Listou, and Weinberg patents, they are each silent as to these operations, elements, steps and limitations, as well.

1. (proposed amendment) A method for providing an ephemeral list navigation tool ~~within an Object-Action navigation user interface system, said Object-Action user interface system having one or more semi-independent action modules communicative to a central control process, each of said action modules having a module frame display, said method comprising the steps of:~~

providing an ephemeral list cooperative with an Object-Action user interface system, said Object-Action user interface system having one or more semi-independent action modules, each of said action modules having a module frame display;

automatically updating an said ephemeral list display via command from said central control process to an ephemeral list management process responsive to user-selected actions received by said action modules such that said ephemeral list automatically includes one or more entries in a list of objects upon which the user has most recently selected actions to be performed by said action modules, without need for said user to explicitly update said list; and

automatically removing from said ephemeral list an oldest object entry upon addition of a newest object entry upon said list reaching a maximum number of list entries, thereby managing said ephemeral list as a push-down stack, without need for said user to explicitly remove said oldest object entry; and

repeating said steps of removing and updating said module frame displays by said action modules via command from said central control process responsive to user-selected actions received by said ephemeral list management process such that there is an apparent interaction and coordination between user-selected actions, between said module frame displays and said ephemeral list display.